IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13624 of 2004

Between:

P. Sudhakar Rao,

S/o. P. Balaiah, R/o. 6-3-331, Keys Blocks,

New Bhoiguda, Secunderabad.

.... PETITIONER

AND

1 Prudential Cooperative Urban Bank Limited,

rep by its M.D. R.P. Road, Hyderabad.
2 The Branch Manager, Prudential Cooperative Urban Bank Ltd.

R.P.Road Branch, Hyderabad.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass appropriate writ, order or direction, particularly a Writ of Mandamus, directing the respondents herein to furnish statement of account in respect of loan account under Folio CL 4/4 along with a copy of the Award of the Arbitrator and other proceedings and pass such other orders.

Counsel for the Petitioner: MR.J.PRABHAKAR

Counsel for the Respondents1 & 2: MR.S.ASHOK ANAND KUMAR

(Standing Counsel)

The Court at the admission stage made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent Bank.

Petitioner states that he availed a loan of Rs.31,000/- from the respondent-Bank in November, 1992 and that he paid certain amounts towards the loan account. Subsequently, arbitration proceedings have been initiated by the respondent-Bank for recovery of the amounts due from the petitioner and it appears that the arbitrator has already passed an award as per the provisions of the Andhra Pradesh Co-operative Societies Act. The petitioner states that he is neither aware of the proceedings before the arbitrator nor the award passed by him, however since the respondents are taking steps to get the salary of the guarantors attached and that an amount of Rs.5,000/- is being deducted from their respective salaries every month, the petitioner wanted to ascertain the amounts due under his loan account and

therefore, he requested the respondent-Bank to furnish a copy of the statement of account as well as a copy of the Award, so as to enable him to ascertain the amounts due and sort out the matter with the respondent-Bank by paying the amounts under one time settlement. The grievance of the petitioner is that the said request of the petitioner has not been considered by the respondent-Bank and the statement of account as well as the copy of award as sought for by him have not been furnished so far.

Having heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent Bank, I am of the view that there cannot be any valid objection for denying the statement of account as sought by the petitioner. Accordingly, I deem it appropriate to dispose of the Writ Petition with a direction to the respondent Bank to furnish the statement of account in respect of the loan account under Folio No.CL-4/4, together with a copy of the award passed by the arbitrator against the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

With the said observation, the Writ Petition is disposed of. No costs.

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G. ROHINI, J

25th August, 2004

lsn/Gbs

To

1. The Managing Director,

Prudential Cooperative Urban Bank Limited,

R.P. Road, Hyderabad**.**
2. The Branch Manager,

Prudential Cooperative Urban Bank Ltd.

R.P.Road Branch, Hyderabad.

3. Two CD copies